

The Honorable Richard A. Jones
The Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AWET HAILE NERAYO,

Petitioner,

v.

WILLIAM BARR, et. al.,

Respondents.

No. C19-1540-RAJ-MLP

JOINT STIPULATION AND ORDER
CONSENTING TO MAGISTRATE
JUDGE AND DISMISSING HABEAS
PETITION

NOTE ON MOTION CALENDAR:
Today

COMES NOW Respondents, by and through their counsel, Brian T. Moran, United States Attorney for the Western District of Washington, and Kristin B. Johnson, Assistant United States Attorney for said District, and Petitioner, by and through his counsel Gregory Murphy, and hereby jointly stipulate and agree as follows:

WHEREAS on September 26, 2019, Petitioner filed a habeas petition challenging his continued immigration detention. Dkt. No. 1.

WHEREAS on October 29, 2019, Petitioner was released from custody on an order of supervision. *See* Dkt. No. 7, Exhibit A.

WHEREAS the parties agree that Petitioner's release rendered the habeas petition moot. *See Abdala v. Immigration and Naturalization Service*, 488 F.3d 1061, 1065 (9th Cir. 2007).

1 WHEREAS the parties agree that this action should be dismissed as moot without fees
2 or costs to either party.

3 WHEREAS the parties consent to proceed before the assigned Magistrate Judge under
4 28 U.S.C. § 636(c).
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6 NOW THEREFORE, the parties, through their respective counsel of record, do hereby
7 stipulate and agree, and respectfully request, that the Court make and enter the following order:
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- 9 1. Petitioner's habeas petition is hereby denied and dismissed as moot without fees or
10 costs to either party.

11 SO STIPULATED.

12 DATED this 12th day of December, 2019.

13 BRIAN T. MORAN
14 United States Attorney

15
16 /s/ Kristin B. Johnson
KRISTIN B. JOHNSON WSBA #28189
17 Assistant United States Attorney
700 Stewart Street, Suite 5220
18 Seattle, WA 98101-1271
Telephone No. (206) 553-7970
19 Fax No. (206) 553-4073
20 E-mail kristin.b.johnson@usdoj.gov
Attorney for Respondents
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1 SO STIPULATED.

2 DATED this 12th day of December, 2019.

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4 /s Gregory Murphy

5 GREGORY MURPHY, WSBA #
6 Assistant Federal Public Defender
7 1331 Broadway #400
8 Tacoma, Washington 98402
9 (253) 593-6710
10 Attorney for Petitioner

11 **ORDER**

12 IT IS SO ORDERED.

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14 DATED this 13th day of December, 2019.

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17 MICHELLE L. PETERSON
18 United States Magistrate Judge
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Western District of Washington and is a person of such age and discretion as to be competent to serve papers.

It is further certified that on December 12, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

Gregory Murphy Email: Gregory_Murphy@fd.Org

I further certify that on December 12, 2019, I mailed via the United States Postal Service, first class postage prepaid, the foregoing document to the following non-CM/ECF participant(s), addressed as follows:

-0-

Dated this 12th day of December, 2019.

s/ Melissa Eldredge
Melissa Eldredge, Legal Assistant
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7699
Fax: 206-553-4067
E-mail: melissa.eldredge@usdoj.gov